

## **REMARKS**

Applicants request reconsideration of the present application. Claim 1 has been amended and is the sole independent claim. Claims 1-20 are pending.

### **Interview Summary**

Applicants thank the Examiner for granting a telephone interview on January 31, 2006. During said interview, Applicants and the Examiner discussed several potential amendments to claim 1, which would overcome the prior art cited by the Examiner (i.e., Fraley et al., U.S. Patent No. 6,263,492). In particular, the Examiner indicated to Applicants that further defining the “automation objects,” and the “interconnecting,” using subject matter presented, for example, in paragraphs [0016-0018] of the Substitute Specification would overcome the outstanding rejection.

Applicants have amended claim 1 in accordance with the Examiner's suggestion. Therefore, claim 1 is believed to be allowable over Fraley.

### **PRIOR ART REJECTIONS**

#### **Rejection under 35 U.S.C. §102(e)**

The Examiner rejects claims 1-20 over Fraley et al. (U.S. Patent No. 6,263,492, herein after referred to as Fraley) under 35 U.S.C. §102(e). This rejection is respectfully traversed, especially in view of claim 1 as now amended.

Applicants have amended claim 1 to recite, "creating an automation solution using an engineering system by interconnecting corresponding inputs and outputs of automation objects, the automation objects being modules and the inputs and outputs being for at least one of defining values for calculations and receiving results of the calculations; wherein the interconnections are independent objects defining communication relationships between automation objects." This feature is neither taught nor suggested by Fraley. Therefore, claim 1 is in condition for allowance.

Furthermore, on page 3 of the Office Action, the Examiner relies upon col. 10, ll. 14-37 of Fraley to allegedly teach "assigning, after creating an automation solution, the automation objects to physical equipment units of a system," as set forth in claim 1. Applicants disagree.

Fraley is directed to design of object-oriented computer software. Object-oriented computer programming is used to design computer software, which includes object-oriented programming objects further including object data and information. A collection of objects constitutes an object class, or object type, which acts as a template describing behavior of sets of objects.<sup>1</sup> Models used in object-oriented programming, include a component object model (COM) and a distributed component object model (DCOM). Both the COM and DCOM specify how objects interact and communicate within a single application, a distributed application or between applications.<sup>2</sup> Object linking and

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<sup>1</sup> See, col. 1; ll. 16-25 of Fraley.

<sup>2</sup> See, col. 1; ll. 31-35 of Fraley.

embedding (OLE) are used to create objects, which operate on object data rather than operating on the applications responsible for the data.<sup>3</sup>

More specifically, the above referenced portion of Fraley relied upon by the Examiner<sup>4</sup> discusses an object designer 62 that allows software developers to devise queries to remote databases without user interface at run-time. With regard to FIG. 5, object interfaces 80-86 (of the object designer 62) provide object linking and embedding, in-place object activation, and object programmability.

However, Fraley makes no mention or suggestion of any physical equipment or any interaction of automation objects with physical equipment units of a system, let alone assigning "automation objects to physical equipment units of a system," as set forth in claim 1. By contrast, the above cited portion, and all of Fraley, for that matter, is merely devoted to the creating of run-time files for applications or, in other words, the creation of software, without any interaction with "physical equipment units."

For at least these reasons, claim 1 is in condition for allowance. Furthermore, claims 2-20 are also allowable at least by virtue of their dependency upon claim 1.

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<sup>3</sup> See, col. 1; ll. 43-46 of Fraley.

<sup>4</sup> See, col. 10, ll. 14-37 of Fraley.

## **CONCLUSION**

In view of above remarks, reconsideration of the outstanding rejection and allowance of the pending claims is respectfully requested.

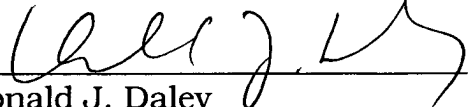
If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Andrew M. Waxman, Reg. No. 56,007, at the number of the undersigned listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, PLC

By

  
Donald J. Daley  
Reg. No. 34,313  
P.O. Box 8910  
Reston, VA 20195  
(703) 668-8000

DJD/AMW:ame